

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

YAODI HU,

Plaintiff,

vs.

VILLAGE OF MAYWOOD,
ROBINSON TOWING, INC.,

Defendants.

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) **No. 07 CV 7203**
) **Judge Dow**
) **Magistrate Judge Keys**
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FILED
JAN 31 2008 *ew*
1-31-08
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**MOTION FOR A MORE DEFINITE STATEMENT
BROUGHT PURSUANT TO RULE 12(e)**

NOW COMES the Defendant, ROBINSON TOWING, INC., by and through its Attorney, JEFFREY E. MAREK, and for its Motion For A More Definite Statement Brought Pursuant To Rule 12(e), respectfully states unto the Court as follows:

1. That the Plaintiff, in Paragraph 1 of his Complaint alleges, among other things, that "within the last three (3) or more years" the Defendant, ROBINSON TOWING, Inc., towed two (2) of the Plaintiff's vehicles parked on his property without incident, however, the Plaintiff has failed to identify the vehicles towed by make, model, year and/or vehicle identification number, and the Plaintiff has failed to identify when the alleged vehicle tows occurred.

2. That the Plaintiff, in Paragraph 7 of his Complaint alleges, among other things, that "on November 30, 2007 the Defendant, ROBINSON TOWING, INC., towed away two (2) vehicles" and the Plaintiff's Complaint goes on to allege a value for one (1) vehicle at \$5,000.00 and the other vehicle at \$15,000.00 "plus \$20,000.00 merchandise in it", however, the Plaintiff has filed to identify the make, model, year and or vehicle identification number of the vehicles towed.

3. That the Defendant, ROBINSON TOWING, INC., requires the make, model and year of the vehicle or vehicles towed, or the vehicle identification number or numbers for the vehicles towed to properly admit or deny whether it towed the Plaintiff's unidentified vehicles.

4. That the Defendant, ROBINSON TOWING, INC., is only one (1) of several towing services that provides towing services to the Village of Maywood during the calendar year, which towing services are provided for a certain period of time and then towing services are provided by another towing service, not the Defendant, ROBINSON TOWING, INC.

5. That the Plaintiff should be required to provide the dates that the towing occurred of the vehicles, as alleged in Paragraph 1 of his Complaint, along with the make, model and year and/or vehicle identification number of the vehicles towed.

6. That the Plaintiff should be required to provide the make, model and year and/or vehicle identification number of the vehicles towed.

7. That the Plaintiff makes this request in good faith and not to harass any Party to these proceedings and by the Plaintiff providing the requested information, the Defendant, ROBINSON TOWING, INC., will be able to competently Answer the Plaintiff's Complaint.

WHEREFORE, the Defendant, ROBINSON TOWING, INC., prays as follows:


A. That an Order be "Entered" requiring the Plaintiff to provide the dates that the towing occurred of the vehicles, as alleged in **Paragraph 1** of his Complaint, along with the make, model and year and/or vehicle identification number of the vehicles towed.

B. That an Order be "Entered" requiring the Plaintiff to provide the make, model and year and/or vehicle identification number of the vehicles towed as alleged in **Paragraph 7** of his Complaint.

C. That the Plaintiff be granted any further relief the Court deems just and equitable in the premises.

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Respectfully submitted,


JEFFREY E. MAREK,
Attorney for Robinson Towing,
Inc.